IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 292 OF 2007

Sayed Ayaz S/o Sayed Tilawat
Husain Kadri ..Applicant
V/s
The State of Maharashtra ..Respondent.

Mr. Zia-ul Mustafa, Advocate for the applicant.
Mrs. M.H. Mhatre, APP for the State.

CORAM : J.H. BHATIA, J.
DATE : 21ST FEBRUARY, 2007.

P.C.

. Heard Mr.Mustafa, learned Counsel for the applicant and Mrs. Mhatre, learned APP for the State. The applicant seeks anticipatory bail in Crime No 451 of 2006, registered at Shahkar Nagar Police Station, Pune for the offence punishable under Section 420 r/w section 34 of Indian Penal Code.

2. According to the prosecution, one Gunderao Rakhmaji Dhumal, first informant, was seeking admission for his daughter in Bharti Vidhyapith Dental College, Navi Mumbai and by giving assurance of such admission, accused Sambhaji Narke and Sunil Narke received amount of Rs. Seven lacs from said Gunderao. Later on admission could not be secured. They returned only amount of Rs. one Lac to the complainant and balance

amount of Rs. Six Lac was used by those two persons and four other accused including the present applicant.

3. The applicant claims to be the student of Engineering College and according to him, he has nothing to do with this episode. On instructions App makes a statement that applicant is a nephew of another accused Shaheed Kadri, who is working with the Dental College and is concerned with the admission process. However, said Shaheed Kadri is already granted anticipatory bail.

4. In view of the above circumstances, applicant may be also granted anticipatory bail.

5. In the event of arrest in Crime No.451/2006, registered at Sahakar Nagar Police Station Pune, the applicant be released on his executing PR. of Rs. 15,000/- with surety in like amount with conditions that he shall not tamper with the prosecution evidence. He shall attend Sahakar Nagar Police Station from 21st February, 2007 onwards from 11.00 A.M.to 2.00 P.M. every day for one week and thereafter also he shall appear at the police station as and when required for the purpose of interrogation and investigation.

(J.H. BHATIA, J.)